

**BAKER & HOSTETLER LLP**

45 Rockefeller Plaza  
New York, NY 10111  
Telephone: (212) 589-4200  
Facsimile: (212) 589-4201

Hearing Date: May 18, 2022  
Hearing Time: 10:00 a.m. (EST)  
Objections Due: May 11, 2022

*Attorneys for Irving H. Picard, Trustee for the  
Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC and  
the Chapter 7 Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the  
Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC and  
the Chapter 7 Estate of Bernard L. Madoff,

Plaintiff,

v.

JOHN FUJIWARA *et al.*,

Defendants.

Adv. Pro. No. 10-04289 (CGM)

**NOTICE OF MOTION TO ENFORCE SETTLEMENT AGREEMENT**

**PLEASE TAKE NOTICE** that Irving H. Picard (the “Trustee”), trustee for the  
substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC

(“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–III, (“SIPA”) and the chapter 7 estate of Bernard L. Madoff, by and through his undersigned counsel, filed the motion (the “Motion”) to enforce the settlement agreement into which the parties entered in the above-captioned adversary proceeding. The Motion will be heard before the Honorable Cecelia G. Morris, United States Bankruptcy Judge for the United States Bankruptcy Court, Southern District of New York, on **May 18, 2022, at 10:00 a.m.** (the “Hearing”), or as soon thereafter as counsel may be heard.

**PLEASE TAKE FURTHER NOTICE** that pursuant to the Court’s directive, all hearings will be conducted remotely pending further Order of the Court. All parties who wish to participate in the Hearing must refer to Judge Morris’ guidelines for remote appearances and are required to make arrangements to appear via ZoomGov. For further details on ZoomGov, please call the Courtroom Deputy at (845) 451–6367. Further instructions regarding remote appearances via ZoomGov can be found on the Court’s website at <https://www.nysb.uscourts.gov/zoom-video-hearing-guide>. Pro se parties may participate telephonically in hearings free of charge.

**PLEASE TAKE FURTHER NOTICE** that any objection to the Motion (“Objection”) shall: (i) be in writing; (ii) conform to the Federal Rules of Bankruptcy Procedure, Local Bankruptcy Rules, and General Orders; (iii) specify the name of the objecting party and state with specificity the basis of the Objection(s) and specific grounds therefor; (iv) be filed in accordance with the electronic filing procedures for the United States Bankruptcy Court for the Southern District of New York, with a proof of service; (v) be served upon (a) Baker & Hostetler LLP, counsel for the Trustee, 45 Rockefeller Plaza, New York, New York 10111, Attn: Nicholas J. Cremona, Esq.; and (b) the Securities Investor Protection Corporation, 1667 K Street, NW, Suite 1000, Washington, DC 20006-1620, Attn: Kevin H. Bell, Esq., so as to be received no later than May 11, 2022.

**PLEASE TAKE FURTHER NOTICE** that failure to timely file an Objection may result in the entry of an order granting the relief requested in the Motion without further notice to any party or opportunity to be heard.

**PLEASE TAKE FURTHER NOTICE** that the Trustee shall file a reply, if any, by no later than May 13, 2022.

**PLEASE TAKE FURTHER NOTICE** that a proposed form of Order is submitted herewith.

Date: April 29, 2022  
New York, New York

**BAKER & HOSTETLER LLP**

By: /s/ Nicholas J. Cremona  
45 Rockefeller Plaza  
New York, New York 10111  
Telephone: 212.589.4200  
Facsimile: 212.589.4201  
David J. Sheehan  
Email: dsheehan@bakerlaw.com  
Nicholas J. Cremona  
Email: ncremona@bakerlaw.com

127 Public Square, Suite 2000  
Cleveland, Ohio 44114  
Telephone: 216.621-0200  
Facsimile: 216.696.0740  
James H. Rollinson  
Email: jrollinson@bakerlaw.com

*Attorneys for Irving H. Picard, Trustee for  
the Substantively Consolidated SIPA  
Liquidation of Bernard L. Madoff Investment  
Securities LLC and the Chapter 7 Estate of  
Bernard L. Madoff*